

# Exhibit 71

Daniel L. Clarke-Pearson, M.D.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

-----X

IN RE: JOHNSON & JOHNSON

TALCUM POWDER PRODUCTS

MDL No.:

MARKETING, SALES PRACTICES,

16-2738 (FLW) (LHG)

AND PRODUCTS LIABILITY

LITIGATION

-----X

ORAL AND VIDEOTAPED DEPOSITION OF  
DANIEL L. CLARKE-PEARSON, M.D.

---

MONDAY, FEBRUARY 4, 2019

9:03 A.M.

---

Taken by the Defendants  
at The Carolina Inn  
211 Pittsboro Street  
Chapel Hill, North Carolina 27516

- - -  
Reported by Sophie Brock, RPR, RMR, RDR, CRR

- - -

GOLKOW LITIGATION SERVICES  
877.370.3377 ph | 917.591.5672 fax  
deps@golkow.com

Daniel L. Clarke-Pearson, M.D.

Page 285

1 Q. Do you know how a cleavage fragment differs  
2 from an asbestos fiber?

3 A. It has to do with the size of the fiber.

4 Q. Do you have any opinions about cleavage  
5 fragments in this case?

6 A. What case are we talking about?

7 Q. You serving as an expert witness in the --

8 A. I guess I think of a case as a patient.

9 Q. Well, you're here today talking generally  
10 about the risk of ovarian cancer from talcum powder  
11 use; is that right?

12 A. Yes.

13 Q. Do you intend to express any expert opinions  
14 in this matter about cleavage fragments?

15 MS. O'DELL: Objection to form.

16 THE WITNESS: If asked.

17 BY MR. ZELLERS:

18 Q. Okay. What opinions do you have about  
19 cleavage fragments? And, specifically, how does a  
20 cleavage fragment differ from an asbestos fiber?

21 A. So it has to do with the ratio of length to  
22 width, and a cleavage factor has a less than 6:1  
23 proportion.

24 Q. Anything else?

25 A. You were asking about cleavage fragments?

Daniel L. Clarke-Pearson, M.D.

Page 286

1 Q. Yes. And I'm asking how it differs from an  
2 asbestos fiber --

3 A. Asbestos needle is longer. It's either a  
4 ratio of 6:1 up to less than 15:1.

5 Q. Anything else?

6 A. And then fibers are considered greater than  
7 15:1 ratio.

8 Q. Asbestos fibers or cleavage fragments?

9 A. Asbestos fibers.

10 Q. How does a cleavage fragment differ from  
11 fibrous talc?

12 A. I'm not sure I know the difference.

13 Q. Does it make a difference to your theory and  
14 your opinions if it turns out that talc contains  
15 cleavage fragments of nonasbestiform amphiboles  
16 instead of asbestiform amphiboles?

17 MS. O'DELL: Objection.

18 THE WITNESS: I'm going to have to read  
19 your question.

20 BY MR. ZELLERS:

21 Q. Sure. And if you don't have opinions, that's  
22 okay. I'm just trying to find out what you have  
23 opinions about.

24 A. No, I don't have an opinion.

25 Q. You don't have opinions about whether or not

Daniel L. Clarke-Pearson, M.D.

Page 287

1 regulatory action in this area rejects the idea that  
2 science has established that cleavage fragments or  
3 nonasbestiform amphiboles pose the same risk as  
4 asbestos; correct? You leave that to other experts to  
5 address?

6 A. The regulatory portion, yes.

7 Q. How, if at all, did you factor the difference  
8 between asbestiform and nonasbestiform minerals into  
9 your analysis of the relationship between talcum  
10 powder use and ovarian cancer?

11 MS. O'DELL: Objection to the form.  
12 Compound.

13 You may answer the question if you  
14 understand it.

15 THE WITNESS: Well, I'm quite certain,  
16 based on IARC, that asbestiform minerals are  
17 carcinogenic.

18 BY MR. ZELLERS:

19 Q. That is your answer to my question?

20 A. Yes.

21 Q. All right. Fragrance chemicals and heavy  
22 metals, you're aware those are addressed in  
23 Dr. Crowley's report; is that right?

24 MS. O'DELL: Objection. Form.

25 THE WITNESS: Yes. I don't have that

Daniel L. Clarke-Pearson, M.D.

Page 288

1 in front of me, though.

2 BY MR. ZELLERS:

3 Q. You're not expressing opinions in this case  
4 on fragrance chemicals and heavy metals and any  
5 association fragrance chemicals and heavy metals may  
6 have on ovarian cancer; correct?

7 MS. O'DELL: Objection. Form.

8 THE WITNESS: No. I am expressing an  
9 opinion about that.

10 BY MR. ZELLERS:

11 Q. What research have you done with respect to  
12 the fragrance chemical and trace amounts of heavy  
13 metals that are contained in the talcum powder?

14 MS. O'DELL: Objection to the form.  
15 Compound.

16 THE WITNESS: It's my opinion that  
17 talcum powder causes ovarian cancer, that talcum  
18 powder contains platy talc, fibrous talc, asbestos,  
19 heavy metals -- three of them -- and fragrances.

20 I'm not necessarily saying one of that list  
21 is causing the cancer. It's the talcum powder -- the  
22 baby talc -- baby powder and the Shower to Shower --  
23 that's causing the ovarian cancer.

24 BY MR. ZELLERS:

25 Q. I understand that, and I think I've asked you

) C E R T I F I C A T E

25